

EXHIBIT A

BROWN REPLY DECLARATION ISO APPLE'S MOTION FOR SUMMARY JUDGMENT

Deposition of Ed Catmull

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION
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6 IN RE: HIGH-TECH EMPLOYEE)
7 ANTITRUST LITIGATION)
8) No. 11-CV-2509-LHK
9 THIS DOCUMENT RELATES TO:)
10 ALL ACTIONS.)
11 _____)
12
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14 CONFIDENTIAL - ATTORNEYS' EYES ONLY
15 VIDEO DEPOSITION OF ED CATMULL
16 January 24, 2013
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19 REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR
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Deposition of Ed Catmull

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

01:41:53 1 typically people who -- like in animation case, a person
01:41:59 2 who was an animator. So they're not the recruiting
01:42:06 3 department, they're actually the people in the
01:42:08 4 department.

01:42:09 5 Q. And how many different departments had hiring
01:42:11 6 managers at Pixar?

01:42:12 7 A. No idea.

01:42:20 8 Q. Well, how many departments were there within
01:42:22 9 Pixar who might have had hiring managers? Are we
01:42:25 10 talking about dozens or are we talking about a handful?

01:42:28 11 A. I don't know the number. I really don't. I
01:42:30 12 just don't know what the number is.

01:42:33 13 Q. Who would I ask that would know the answer to
01:42:35 14 that question?

01:42:39 15 A. Lori. But hiring managers, it's not even the
01:42:41 16 term that I frequently use. I'm just assuming that any
01:42:45 17 department, if they have to get somebody then somebody
01:42:48 18 is responsible for filling the position and that's the
01:42:50 19 hiring manager. So I don't know what that number is.

01:42:56 20 Q. I understand you don't know the number of how
01:42:58 21 many hiring managers there might have been at any one
01:43:01 22 time, but was Pixar divided up into departments that you
01:43:05 23 can tell me how many departments would have been
01:43:07 24 involved?

01:43:08 25 A. No. There is a flux in time even

Deposition of Ed Catmull

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

01:43:10 1 organizationally. Because while there is some solidity,
 01:43:15 2 say, across the company, the productions themselves are
 01:43:21 3 continually reforming and disbanding. As well as there
 01:43:26 4 are groups that will form, like, we'll make a DVD group,
 01:43:29 5 or we'll reorganize a group to handle a particular
 01:43:33 6 function because it's become more important or disband
 01:43:36 7 others that have become less important. That's in
 01:43:39 8 continual flux.

01:43:41 9 Q. Okay. Let's move on to Apple, and let's start
 01:43:43 10 with Exhibit 419.

01:43:45 11 (Whereupon, Exhibit 419 was marked for
 01:43:45 12 identification.)

01:43:55 13 MR. HEIMANN: Q. Before we get to the
 01:43:56 14 document, let me ask you generally, did you have any
 01:43:58 15 sort of understanding or agreement with Apple
 01:44:01 16 restricting, in any way, recruiting, either out of
 01:44:04 17 Apple or out of Pixar?

01:44:09 18 A. Well, because Steve was the CEO, and we had
 01:44:12 19 also a few technical exchanges, I was certainly
 01:44:19 20 cognizant of the fact that Steve, who was -- who I did
 01:44:23 21 report to, so I didn't want to do anything to disrupt
 01:44:26 22 what they were doing. But it was more of the sort that,
 01:44:33 23 you know, it would just -- was obvious to me. I don't
 01:44:35 24 know that I did anything explicit.

01:44:40 25 Q. I'm not understanding your answer here. I

Deposition of Ed Catmull

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01:44:43 1 misheard you. You say well, because Steve was the CEO
01:44:45 2 and we also had a few, and then you used a term --
01:44:49 3 MS. HENN: Technical.
01:44:50 4 THE WITNESS: Technical interchanges with
01:44:51 5 Apple.
01:44:52 6 MR. HEIMANN: Q. Okay. So -- okay. But
01:44:56 7 the question is, did you have any explicit
01:44:58 8 understandings or agreements with Apple that limited
01:45:04 9 recruiting, either one way or the other? Either out
01:45:06 10 of Apple or out of Pixar?
01:45:08 11 A. I don't recall an explicit one, but I will say
01:45:11 12 there were implicit ones. That is, I would not have
01:45:15 13 wanted to do something which would be disruptive, and
01:45:18 14 likewise him with us.
01:45:21 15 Q. Well, do you recall any discussions with
01:45:24 16 Mr. Jobs about that subject?
01:45:26 17 A. On a case-by-case basis, I think -- let's see.
01:45:35 18 I can only think of one, it was actually an Apple
01:45:38 19 employee that wanted to come to Pixar, and so Steve told
01:45:44 20 me that he wasn't that good. But that was a -- from a
01:45:52 21 reference judgment, not a prohibition.
01:45:55 22 Q. So let me ask this question: In fact, didn't
01:45:57 23 you have an understanding with Mr. Jobs that you would
01:45:59 24 not even attempt to hire anybody out of Apple without
01:46:02 25 getting his explicit prior approval?

Deposition of Ed Catmull

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1 I, Gina V. Carbone, Certified Shorthand
2 Reporter licensed in the State of California, License
3 No. 8249, hereby certify that the deponent was by me
4 first duly sworn and the foregoing testimony was
5 reported by me and was thereafter transcribed with
6 computer-aided transcription; that the foregoing is a
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or
9 attorney for either of any of the parties in the
10 foregoing proceeding and caption named or in any way
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of
13 the original transcript will render the reporter's
14 certificates null and void.

15 In witness whereof, I have hereunto set my
16 hand this day: January 28, 2013.

17 Reading and Signing was requested.

18 Reading and Signing was waived.

19 Reading and signing was not requested.

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23 GINA V. CARBONE

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CSR 8249, RPR, CCRR

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